

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

The Sandusky County  
Democratic Party, et al.,

Case No. 3:04CV7582

Plaintiff

v.

ORDER

J. Kenneth Blackwell,

Defendant

In light of the decision by the United States Circuit Court of Appeals for the Sixth Circuit in *Sandusky County Democratic Party v. Blackwell* Nos. 04-4265, -4266 (Oct. 23, 2004), affirming in part and reversing in part this Court's order of October 14, 2004 (Doc. 26), it is hereby

ORDERED THAT the defendant J. Kenneth Blackwell be, and he hereby is ordered to transmit forthwith, and in any event, not later than 3:00 p.m., Tuesday, October 26, 2004, to all of Ohio's County Boards of Election the Directive and Notice attached hereto; said transmission to be electronically and by facsimile.

So ordered.

s/James G. Carr  
James G. Carr  
United States District Judge

To: County Election Boards  
From: J. Kenneth Blackwell  
Secretary of State  
Re.: Provisional Voting  
Date October 26, 2004

You have previously received a copy of "Directive No. 2: Provisional Voting: Home Precinct Balloting Only," which instructs you on the procedures to be followed when a voter is entitled to cast a provisional ballot.

Pursuant to the October 23, 2004, decision of the United States Court of Appeals for the Sixth Circuit, in *Sandusky County Democratic Party v. Blackwell* Nos. 04-4265, -4266 (Oct. 23, 2004), you are to implement that directive.

The purpose of this memorandum is to instruct you that you must also **post copies of the attached Notice** at all the public entrances to each polling place and, as well, at **each** precinct station in your County.

You may make and use photocopies of the attached Notice when you post the Notice as directed herein.

The notices must be conspicuously posted and readily visibly to persons entering the polling place and approaching the precinct station. No other notices or other material may cover or otherwise obscure the notices posted in accordance with this directive.

# **NOTICE**

**Your vote, including a vote cast by provisional ballot, will count **ONLY** if you are voting in the precinct in which you reside.**

**If you do not know whether your correct precinct is located at this polling place, please ask a poll worker now for assistance.**